

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services proposes to amend Chapter 75, “Conditions of Eligibility,” Iowa Administrative Code.

This amendment implements changes to medical assistance eligibility under the Iowa Family Planning Network (IFPN) which are contingent on approval of a waiver request by the federal Centers for Medicare and Medicaid Services. These changes are mandated by 2010 Iowa Acts, chapter 1192 (House File 2526), section 11, subsection 24. The amendment:

- Limits eligibility to people who are uninsured or have health insurance that does not include family planning services, who are not otherwise enrolled in Medicaid (other than IowaCare), and who are not enrolled in the Children’s Health Insurance Program (HAWK-I).
- Expands IFPN eligibility by specifying an upper age limit of 55, increasing the income limit from 200 percent of the federal poverty level to 300 percent of the federal poverty level, and including men. A statutory change was made by 2011 Iowa Acts, Senate File 482, to remove the word “women” from the provision authorizing eligibility for family planning services and substitute “individuals.”

This amendment was also Adopted and Filed Emergency and is published herein as **ARC 9647B**. The purpose of this Notice is to solicit comment on that submission, the subject matter of which is incorporated by reference.

Any interested person may make written comments on the proposed amendment on or before August 30, 2011. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to policyanalysis@dhs.state.ia.us.

This amendment does not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement 2010 Iowa Acts, chapter 1192, section 11, subsection 24, and Iowa Code section 249A.3 as amended by 2011 Iowa Acts, Senate File 482, section 16.